

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

No.

1:06CR0207

v.

Hon.

Gordon J. Quist
U.S. District Judge

ANN E. SMITH,

CLASS A MISDEMEANOR
INFORMATION

Defendant.

Margaret M. Chiara, United States Attorney for the Western District of Michigan,

charges:

Introduction

1. At all times material to this Information, Ann E. Smith held the office of Secretary-Treasurer of Machinists Grand Lodge, Local 2140, a labor organization engaged in an industry affecting interstate commerce, within the meaning of 29 U.S.C. §§ 402(i), (j). Local 2140 represented workers at the Weil McLain plant in Benton Harbor, Michigan.

2. Between May 19, 2000 and May 18, 2002, the defendant embezzled the funds of Local 2140 in the aggregate amount of \$12,899.18.

3. Each year, Local 2140 was required to file an annual financial report, a Form LM-3, on which the defendant was obligated to accurately report any funds of Local 2140 received by each of the officers of Local 2140, including herself, as the Secretary-Treasurer.

4. The defendant intentionally failed to reveal on the Forms LM-3, the funds she had embezzled in the years 2000, 2001 and 2002.

On or about November 10, 2001, in Berrien County, in the Southern Division of the Western District of Michigan, the defendant,

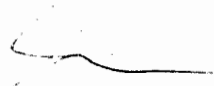
ANN E. SMITH,

made a false statement and representation of a material fact, knowing it to be false, and knowingly failed to disclose a material fact in a report required to be filed by Local 2140 with the Secretary of Labor, that is, the annual financial report Form LM-3 for the calendar year 2000.

29 U.S.C. § 439(b)

MARGARET M. CHIARA
United States Attorney

Date: 9-6-06



THOMAS J. GEZON
Assistant United States Attorney